

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

FERNANDO SANCHEZ,	)	No. CV-F-08-967 OWW
	)	(No. CR-F-99-5064 OWW)
)	
Petitioner,	)	MEMORANDUM DECISION AND
	)	ORDER DISMISSING
vs.	)	PETITIONER'S MOTION TO
	)	VACATE, SET ASIDE OR CORRECT
	)	SENTENCE PURSUANT TO 28
UNITED STATES OF AMERICA,	)	U.S.C. § 2255 AND DIRECTING
	)	CLERK OF COURT TO ENTER
	)	JUDGMENT FOR RESPONDENT
Respondent.)	
)	
)	

On July 7, 2008, Petitioner Fernando Sanchez filed a motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255.

By Order filed on July 24, 2008, Petitioner was ordered to file within 30 days an amended motion pursuant to 28 U.S.C. § 2255 setting forth the grounds upon which he seeks relief and the facts upon which he relies in contending that his motion is timely filed or that he is entitled to equitable tolling. Petitioner was advised that "[f]ailure to timely comply will

1 result in the dismissal of his Section 2255 motion as untimely."

2 Petitioner has not complied with the July 24, 2008 Order.

3 ACCORDINGLY:

4 1. Petitioner Fernando Sanchez's motion to vacate, set
5 aside or correct sentence pursuant to 28 U.S.C. § 2255 is
6 DISMISSED as untimely;

7 2. The Clerk of the Court is directed to enter JUDGMENT FOR
8 RESPONDENT.

9 IT IS SO ORDERED.

10 Dated: September 8, 2008

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE